

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MICHAEL BOYD,**  
**Petitioner,**

**CIVIL ACTION**

**v.**

**MARIROSA LAMAS, Superintendent,  
THE DISTRICT ATTORNEY OF THE  
COUNTY OF PHILADELPHIA, and  
THE ATTORNEY GENERAL OF THE  
STATE OF PENNSYLVANIA,**  
**Respondents.**

**NO. 13-7385**

**ORDER**

**AND NOW**, this 11th day of March, 2015, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Michael Boyd, the record in this case, the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa dated November 25, 2014, and Objections to the Report and Recommendation filed by *pro se* petitioner, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Linda K. Caracappa dated November 25, 2014, is **APPROVED** and **ADOPTED**;
2. *Pro se* petitioner's Objections to the Report and Recommendation are **OVERRULED** on the ground that the issues raised in the Objections relating to the timeliness of the filing of the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody were addressed in the Report and Recommendation with which the Court agrees;
3. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Michael Boyd, is **DISMISSED** on the ground that it was not timely filed; and,

4. A certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

**/s/ Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**